

Article - Health - General

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§16–404.

(a) If there is any insurance, group health plan, or prepaid medical care coverage for part or all of the cost of the care provided, the Department shall seek to collect the proceeds of the insurance, plan, or coverage to the full extent required to pay for the charges for services set under § 16–201 of this title. The insured or policyholder may not withhold the payment and shall assign to the Department any benefits available under the policy for services rendered by the Department to any insured covered by the policy.

(b) The liability of a chargeable person for services provided to an individual with an intellectual disability may not exceed the greater of:

(1) The sum of any proceeds of insurance, group health plan, or prepaid medical care that the insurer or plan pays because of liability for the payment of or repayment for the cost of care provided to the individual; or

(2) The lesser of:

(i) The amount determined under § 16–405 of this subtitle; or

(ii) The amount set by the Department under § 16–203(b) of this title.

(c) The liability of responsible relatives for the cost of care of an individual with an intellectual disability in a residential, State facility ceases when the cost of care of the individual with an intellectual disability has been charged for a period or periods that total 16 years.

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